



Indiana Professional Standards Board

Frank L. O'Bannon, Governor
Marie Theobald, Ed.D. Executive Director

101 W. Ohio Street-Suite 300
Indianapolis, IN 46204-1953
Telephone: (317) 232-9010
Toll free: (866) 542-3672
Fax: (317) 232-9023
www.in.gov/psb

MEMORANDUM

To: Members, Indiana Professional Standards Board

From: Philip R. McGovern, General Counsel

Date: March 19, 2003

Re: Robert D. Gray
Denied Indiana Substitute Teaching Certificate

On August 14, 2002, Mr. Gray submitted his application for an Indiana Substitute Teaching Certificate, and by a letter dated September 25, 2002, he was informed that his application was denied because his record showed that he had been convicted of dealing cocaine as a class B felony and of dealing marijuana as a class C felony. That letter also pointed out that his record showed that he had been sentenced on April 8, 1994 by the Grant County Circuit Court to concurrent prison terms of twelve and eight years, for those crimes.

At the request of Mr. Gray, a hearing on his appeal of that decision was scheduled for December 19, 2002, before an Administrative Law Judge (ALJ). Mr. Gray's appeal for his substitute teaching certificate was denied by ALJ, Jane Boultinghouse by "Findings of Fact, Conclusion of Law and Final Order," dated February 4, 2003. Copies of which are attached. Mr. Gray, by his counsel has filed his "Objection to Findings of Fact, Conclusion of Law and Final Order," a copy of which is also attached for the Board's consideration.

Pursuant to Indiana Code 20-6.1-3-7.1 (e) the board has authority to deny the license of a person who is known by the board to have been convicted of two (2) felony convictions for dealing in a narcotic drug and for dealing in marijuana.

Recommendation:

The staff recommends that the Board overrule Mr. Gray's objections and accept, approve and uphold the denial by the IPSB Executive Director and the ALJ.

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Distribution: Robert D. Gray, 3202 S. Dunbar Dr., Marion, IN 46953
Michael Peek, Attorney at Law, Christopher & Taylor, P.O. Box 2850,
Indianapolis, IN 46206-2850
File